

---

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

---

In re application of: Visco et al.

Attorney Docket No.: PLUSP036

Application No.: 10/772,157

Examiner: M. Wills

Filed: February 3, 2004

Group: 1795

Title: ACTIVE METAL/AQUEOUS  
ELECTROCHEMICAL CELLS AND SYSTEMS

Confirmation No.: 1887

---

**CERTIFICATE OF EFS-WEB TRANSMITTAL**

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 31, 2008.

Signed: /dn/  
Deborah Neill

**INFORMATION DISCLOSURE STATEMENT  
IN RESPONSE TO CORRESPONDING FOREIGN SEARCH REPORT OR  
FOREIGN OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references identified in the attached PTO Form 1449 may be material to the examination of the above-identified patent application. These references were cited in a corresponding EP application. A copy of the EP Examination Report which was dated August 5, 2008 is enclosed herewith. These reference(s) are identified in compliance with the applicant's duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. Accordingly, the Examiner is requested to make the identified references of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that additional information (material to the examination of this application) does not exist or that the identified reference(s) constitute prior art.

**Statement under 37 CFR § 1.97(b)**

This Information Disclosure Statement is filed within three (3) months of the filing date of the above-referenced application.

**Authorization for Deposit Account**

In view of the foregoing, it is respectfully submitted that no fee is due in conjunction with the filing of this Information Disclosure Statement. However, should the Commissioner determine that additional fees are required for filing the present Information Disclosure Statement, the Commissioner is hereby authorized to charge any such fees to our Deposit Account Number 504480 (Order No. PLUSP036).

Respectfully submitted,  
Weaver Austin Villeneuve & Sampson LLP  
/jea/

James E. Austin  
Registration No. 39,489

P.O. Box 70250  
Oakland, CA 94612-0250